

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

IN RE:

Letter of Request from)
United Kingdom for Assistance)
in the Criminal Matter of)
JOHN LAFERTY)
_____)

ORDER

Upon application of the United States, and based upon the request from the United Kingdom dated 25 November 2019 seeking testimony for use in a judicial proceeding in Scotland, and the Court having fully considered this matter,

IT IS HEREBY ORDERED, pursuant to the authority conferred by 18 U.S.C. § 3512 and this Court's inherent authority, that Clay M. West is appointed as a Commissioner of this Court and hereby directed to execute the foreign assistance request and to take such steps as are necessary to collect the evidence requested. In doing so, the commissioner:

1. May issue commissioner's subpoenas to be served on persons (natural and legal) ordering them or their representatives to appear and to testify and produce evidence located within the United States;

2. Shall provide notice with respect to the collection of evidence to those persons identified in the request as parties to whom notice should be given (and no notice to any other person shall be required);

3. Adopt procedures to collect the evidence requested consistent with its use as evidence in a proceeding before a tribunal in the United Kingdom, which procedures may be specified in the request or provided by the requesting court or authority or by a representative of

the United Kingdom;

4. May, in collecting the evidence requested, be accompanied by persons whose presence or participation is authorized by the commissioner, including, without limitation, special agents of the Federal Bureau of Investigation and/or representatives of the United Kingdom;

5. May seek such further orders of this Court as may be necessary to execute this Request, including orders to show cause why persons served with commissioner's subpoenas who fail to produce evidence should not be held in contempt; and, including protective orders to regulate the use of the evidence collected;

6. Shall certify and submit the evidence collected to the Office of International Affairs, Criminal Division, United States Department of Justice, or as otherwise directed by that Office for transmission to the foreign authority; and

7. May provide copies of the evidence collected to persons identified in the Request as parties to whom such copies should be given.

Western District of Michigan